

carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,
Austin, Texas, March 30, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 235 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,
Austin, Texas, March 30, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 218 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,
Austin, Texas, March 30, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 434 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,
Austin, Texas, March 30, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 317 carefully examined and compared and find same correctly engrossed.

ROBERTS, Chairman.

Committee Room,
Austin, Texas, April 1, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 447 carefully examined and compared and find same correctly enrolled.

WESTERFELD, Chairman.

FIFTIETH DAY.

(Friday, April 2, 1937)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Woodul.

The roll was called and the following Senators were present:

Aikin.
Beck.
Brownlee.
Burns.
Collie.
Cotten.
Davis.
Head.
Hill.
Holbrook.
Isbell.
Lemens.
Moore.
Neal.
Nelson.
Newton.

Oneal.
Pace.
Rawlings.
Redditt.
Roberts.
Shivers.
Small.
Spears.
Stone.
Sulak.
Van Zandt.
Weinert.
Westerfeld.
Winfield.
Woodruff.

A quorum was announced present.
The invocation was offered by the Chaplain.

Reading of the Journal of the proceedings of yesterday was dispensed with, on motion of Senator Aikin.

Reports of Standing Committees.

Reports on Senate Bill No. 378, on House Bills Nos. 19, 593, 99, 653, 654, 857, 773, 899, 452, and 706 were submitted by the chairmen of the several committees to which they were referred. (See appendix for reports in full.)

Minority Report on Senate Joint Resolution No. 1.

Senator Oneal submitted the minority report of a minority of the members of the Committee on Constitutional Amendments on S. J. R. No. 1. (See appendix for report in full.)

House Bill No. 258 on Passage to Third Reading.

The President laid before the Senate, as unfinished business, on its passage to third reading (the bill having been read second time on yesterday):

H. B. No. 258, A bill to be entitled "An Act creating Firemen's Relief and Retirement Fund in the State of Texas and in all cities, towns, and villages thereof having a regularly organized fire department with fire fighting equipment or apparatus of the value of One Thousand (\$1,000.00) Dollars or more therein; etc., and declaring an emergency;" with motion by Senator Holbrook to recommit the bill to the Committee on Insurance pending.

Senator Rawlings moved to table the motion to recommit.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—24.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Rawlings.
Burns.	Roberts.
Cot'ten.	Shivers.
Davis.	Spears.
Head.	Sulak.
Hill.	Van Zandt.
Isbell.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Newton.	Woodruff.

Nays—3.

Collie.	Small.
Holbrook.	

Absent.

Lemens.	Redditt.
Nelson.	Stone.

Senator Holbrook offered the following amendment to the bill:

Amend H. B. No. 258, after the word "Texas" in line 25, page 2, the following: "It shall be the duty of every insurer coming under the terms of this Act to print on the face of each fire insurance policy issued in this State the following: 'A tax of 2 per cent is levied annually against each fire insurance premium for the purpose of creating the Texas Firemen's Relief and Retirement Fund.'"

Senator Oneal moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—22.

Aikin.	Pace.
Brownlee.	Rawlings.
Burns.	Roberts.
Cotten.	Shivers.
Davis.	Spears.
Hill.	Sulak.
Isbell.	Van Zandt.
Moore.	Weinert.
Neal.	Westerfeld.
Newton.	Winfield.
Oneal.	Woodruff.

Nays—3.

Holbrook.	Stone.
Small.	

Absent.

Beck.	Lemens.
Collie.	Nelson.
Head.	Redditt.

Question—Shall H. B. No. 258 be passed to third reading?

Relative to Disaster at New London, Texas.

Senator Hill asked unanimous consent that a resolution adopted by the Senate of the Ohio General Assembly, a copy of which he submitted, be printed in the Journal.

There was no objection offered, and it was so ordered.

The text of the resolution is as follows:

A resolution expressing condolence to the survivors of the New London, Texas, school disaster.

Whereas, The magnitude of the recent school disaster at New London, Texas, shocked the entire nation; and

Whereas, The grief and sorrow of the parents and survivors of this catastrophe is unparalleled in history; therefore, be it

Resolved, That the Senate of the Ohio General Assembly express their deep sympathy to the survivors of the New London school disaster; and be it further

Resolved, That a copy of the resolution be forwarded by the Clerk of the Senate to the Governor of Texas, and to the Clerk of the Senate and House of the Texas Legislature.

[By Mr. BAUMHART.]

Senate Bill No. 422 With House Amendments.

Senator Oneal called up S. B. No. 422 from the President's table, for consideration of the House amendments to the bill.

The President laid the bill before the Senate, and the House amendments were explained by Senator Oneal.

Question—Shall the Senate concur in the House amendments?

The Senate concurred in the House amendments by the following vote:

Yeas—31.

Aikin.	Brownlee.
Beck.	Burns.

Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Roberts.
Head.	Shivers.
Hill.	Small.
Holbrook.	Spears.
Isbell.	Stone.
Lemens.	Sulak.
Moore.	Van Zandt.
Neal.	Weinert.
Nelson.	Westerfeld.
Newton.	Winfield.
Oneal.	Woodruff.
Pace.	

Free Conference Committee on House Bill No. 969.

The President announced the appointment of the following free conference committee on the part of the Senate on H. B. No. 969:

Senators Rawlings, Woodruff, Neal, Isbell, and Van Zandt.

Senate Bill No. 425 With House Amendments.

Senator Woodruff called up S. B. No. 425 from the President's table, for consideration of the House amendments to the bill.

The President laid the bill before the Senate and the House amendments were explained by Senator Woodruff.

Question—Shall the Senate concur in the House amendments?

On motion of Senator Woodruff, the House amendments, with the bill, were laid upon the table subject to call.

Senate Bill No. 240 With House Amendments.

Senator Isbell called up Senate Bill No. 240 from the President's table, for consideration of the House amendments to the bill.

The President laid the bill before the Senate and the House amendments were read.

Question—Shall the Senate concur in the House amendments?

The Senate concurred in the House amendments by the following vote:

Yeas—31.

Aikin.	Collie.
Beck.	Cotten.
Brownlee.	Davis.
Burns.	Head.

Hill.	Roberts.
Holbrook.	Shivers.
Isbell.	Small.
Lemens.	Spears.
Moore.	Stone.
Neal.	Sulak.
Nelson.	Van Zandt.
Newton.	Weinert.
Oneal.	Westerfeld.
Pace.	Winfield.
Rawlings.	Woodruff.
Redditt.	

Bills Recommended.

On motion of Senator Moore, H. B. No. 488 and H. B. No. 489 were re-committed to the Committee on Civil Jurisprudence.

Free Conference Committee Report of House Bill No. 131.

Senator Oneal submitted the following report of the Free Conference Committee on H. B. No. 131:

Committee Room,
Austin, Texas, March 31, 1937.
Hon. Walter F. Woodul, President of the Senate, and
Hon. R. W. Calvert, Speaker of the House of Representatives.

Gentlemen: We, your Conference Committee, to whom was referred H. B. No. 131 have had same under consideration and we recommend to the Senate and to the House of Representatives that said bill pass in the form attached hereto.

Respectfully submitted,
ONEAL,
BURNS,
WINFIELD.

On the part of the Senate.

TENNYSON,
HARRIS of Archer,
RUTTA,
SMITH of Matagorda,
WALKER.

On the part of the House.

By Tennyson and Har- H. B. No. 131.
ris of Archer.

**A BILL
to be entitled**

An Act amending Article 1119, of the Revised Civil Statutes of Texas of 1925, so as to make its provisions apply to all incorporated cities or towns incorporated under the General Laws of the State of Texas; providing that persons, companies, or corporations engaged in fur-

nishing water, gas, telephone, light, power, or sewerage service in incorporated cities and towns shall be included in the provisions of said Article; and to limit the earnings of persons, companies, or corporations coming within the provisions of said Article to an amount not exceeding a fair return upon the fair value of the property used and useful in rendering its service to the public, which return shall never exceed eight per cent (8%) per annum; repealing all laws and parts of laws in conflict herewith; providing if any part of the Act is declared unconstitutional, it shall not affect the validity of the remainder of the Act, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1119 of the Revised Civil Statutes of Texas, 1925, be amended so as to hereafter read as follows:

"Article 1119. The governing body of all incorporated cities and towns in this State incorporated under the general laws thereof shall have the power to regulate, by ordinance, the rates and compensation to be charged by all persons, companies, or corporations using the streets and public grounds of said city or town, and engaged in furnishing water, gas, telephone, light, power, or sewerage service to the public, and also to prescribe rules and regulations under which such commodities shall be furnished, and service rendered, and to fix penalties to enforce such charges, rules and regulations. The governing body shall not prescribe any rate or compensation which will yield more than a fair return upon the fair value of the property used and useful in rendering its service to the public, but which return in no event shall ever exceed eight per cent (8%) per annum."

Sec. 2. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 3. If any provision of this Act shall be declared to be unconstitutional or invalid, it shall not invalidate or affect any other provision hereof.

Sec. 4. The fact that the Supreme Court of Texas has declared invalid

and unconstitutional those provisions of Article 1119, as amended by H. B. No. 798 being Chapter 226 of the Acts of the Regular Session of the 42nd Legislature, attempting to authorize cities of over five hundred (500) population to regulate rates and service of public utilities, and those provisions thereof limiting the rate of return to eight per cent (8%) creates an emergency and an imperative public necessity that the Constitutional Rule, requiring bills to be read on three several days in each House, be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Question—Shall the report be adopted?

Yeas and nays were demanded, and the report was adopted by the following vote:

Yeas—28.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Rawlings.
Burns.	Redditt.
Collie.	Roberts.
Cotten.	Shivers.
Davis.	Small.
Head.	Spears.
Hill.	Stone.
Isbell.	Sulak.
Moore.	Van Zandt.
Neal.	Weinert.
Nelson.	Westerfeld.
Newton.	Winfield.

Nays—1.

Holbrook.

Absent.

Lemens.

Woodruff.

Message From the Governor.

A Secretary of the Governor appeared at the bar of the Senate and was recognized to present the following message, which the President directed the Secretary to read:

Austin, Texas, April 2, 1937.
To the Members of the Forty-fifth Legislature:

I have performed an unpleasant duty in disapproving and vetoing S. B. No. 114, which authorizes a donation and grant to Harris County of one-half the State ad valorem taxes collected in that county for the

next ten years. I am returning this bill to the Senate, in which it originated.

In a message to the Legislature on March 24th, before this bill was passed, I respectfully urged that no further tax remission bills be passed; and, in an effort to be fair with the members of the Legislature, I said I would veto such bills. At that time I pointed out that more than forty counties in Texas have had tax remissions or donations by previous legislatures; and that this operated as a discrimination against other counties. This discrimination was largely the basis and argument for the passage of the Mauritz bill by the House to remit or donate taxes to all counties in Texas. In addition to the Mauritz bill pending in the Senate, as you are well aware there are a number of other individual tax donation bills, either for individual counties, or groups of counties. Other bills will unquestionably be proposed; and to pass these bills will but add to existing discriminations.

We have a tremendous deficit in general revenue. To give away these ad valorem taxes will add to that deficit. The relief bonds voted by the people are payable out of the first tax moneys collected for the general fund. The credit of the State will be further seriously impaired.

To sign this bill will call for the passage and signing of other similar bills. There is no end to it. If I sign the Harris County bill I can hardly refuse to sign the Bexar County and Pease River bills.

I do not question the desirability of flood control work such as that called for in this and other bills. There are many projects which I should like to see carried out if the State were able to do it. The fact remains that we are not able to do it. It isn't common sense to give money away when we are so terribly in debt and in such dire need of additional revenues to provide for needy functions of government such as aid to the blind, aid for dependent children, aid to the insane, aid to the sick, for public health and many other desirable ends of government in this progressive day.

In addition to the question of the policy involved in giving, or donating away the State's taxes, I direct your attention to the broad terms of the

grant in this bill. The long and short of it is that one-half of the taxes collected in Harris County during the next ten years are turned over to Harris County for expenditure in such manner as its agencies may see fit, with broad grants of power to buy and sell, acquire lands and rights and interest in any other character of property, to appoint managers, agents and employees, including attorneys, etc. No safeguard whatever is given the State to supervise expenditure of such moneys or to pass upon the reasonableness of the price paid for lands, or interest in property, etc. There is no provision for the local community bearing any part of the burden of taking care of its own flood control problem by matching any part of the State's tax remission.

When this bill was passed in the House the point was made that I had signed an extension of tax remissions to Galveston County for a period of five years. Even though there was no distinction between the two, this but illustrates the position in which you and I would find ourselves by approving another tax remission bill. Bexar County, for instance, will then insist that because we had approved the Galveston County bill, theirs should be approved. Pease River Authority, The Sabine River Authority, the Guadalupe-Blanco Authority, the Upper Colorado Authority and others, would make the same argument.

There is, however, a vast distinction between the Galveston County remissions and this one. The original Galveston County remissions were made after the most devastating tidal wave of destruction the State has ever known, in which more than five thousand people lost their lives. The remission was made for the purpose of building a sea wall. In 1927 the Legislature extended this remission to help the citizenship of Galveston County to carry out this project. They had voted bonds for that purpose, and they still owe about Two Million Dollars on these bonds. The amount of State taxes given them, I understand, will only amount to approximately about one-fourth of these outstanding bonds. In other words, the local citizenship are bearing more than their proportionate share of the burden of this sea wall work, voted by them in the

wake of this disastrous storm which left them prostrate and helpless.

In addition to this, Galveston County and others enjoying tax remissions at the time of the adoption of the homestead amendment to the Constitution are not entitled to the benefit of the homestead exemption. This is by the express terms of the Constitution. I am sure the citizenship of Harris County, or any other county desiring tax remissions, would not care to imperil or encourage a demand for taxing the homesteads in their respective communities for the purpose of carrying on flood control work.

I truly regret that I cannot agree with many of my friends in Harris County and others in the Legislature that this bill should become a law. I have an honest difference of opinion with them. I must look at the welfare of the State as a whole and, in doing that, it now becomes my duty to veto this and other similar bills. I assure you that this is done with the highest respect for every member of the Legislature who may have voted to pass this bill; but, at the same time, it is with the earnest suggestion to each of you that this message be carefully read and the great problem of government involved considered from the standpoint of the welfare of the whole State rather than a local community.

Respectfully submitted,

JAMES V. ALLRED,
Governor of Texas.

Senator Moore moved that the bill (S. B. No. 114) referred to in the message be passed notwithstanding the veto of the Governor, and asked to have the motion spread upon the Journal.

Senate Bill No. 425 With House Amendments.

Senator Woodruff called up S. B. No. 425 from the President's table, for consideration of the House amendments to the bill.

The President laid the bill before the Senate, and the House amendments were read.

Question—Shall the Senate concur in the House amendments?

The Senate concurred in the House amendments by the following vote:

Yeas—31.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Rawlings.
Burns.	Redditt.
Collie.	Roberts.
Cotten.	Shivers.
Davis.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

Message From the House.

Hall of the House of Representatives,
Austin, Texas, April 2, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to pass to third reading by a vote of 69 yeas and 69 nays (and moved to reconsider the vote by which the bill failed to pass to third reading and to table the motion to reconsider by a vote of 61 yeas and 60 nays) the following bill:

S. B. No. 434, A bill to be entitled "An Act amending Article 5139, Revised Civil Statutes of the State of Texas, providing additional compensation for members of the County Juvenile Board in all counties having a population of not less than three hundred and twenty thousand (320,000) and not more than three hundred and fifty thousand (350,000), according to the last preceding or any future Federal Census, and declaring an emergency."

The House has concurred in Senate amendments to H. B. No. 81 by a vote of 88 yeas and 32 nays.

The House has passed the following bills:

S. B. No. 240, A bill to be entitled "An Act amending Article 2525, R. C. S. of Texas 1925, as amended by Chapter 89, Acts First Called Session, Forty-third Legislature, Article 2526 R. C. S. of Texas, 1925, Article 2527, R. C. S. of Texas, 1925, Article 2528, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts First Called Session, Forty-third Legislature, Article 2529, R. C. S. of Texas, 1925,

Article 2530, R. C. S. of Texas, 1925, Article 2531, R. C. S. of Texas, 1925, Article 2532, R. C. S. of Texas, 1925, Article 2533, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts First Called Session, Forty-third Legislature, Article 2534, R. C. S. of Texas, 1925, Article 2535, R. C. S. of Texas, 1925, Article 2537, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts First Called Session, Forty-third Legislature; repealing all laws and parts of laws in conflict and expressly repealing Article 2539, R. C. S. of Texas, 1925, as amended by Chapter 89, Acts First Called Session, Forty-third Legislature; and declaring an emergency."

(With amendments.)

S. B. No. 261, A bill to be entitled "An Act amending Section 14, Chapter 277, Acts of the Regular Session, Forty-second Legislature, 1931, as amended by the Forty-third Legislature, 1933, relating to motor carriers."

(With amendments.)

S. B. No. 422, A bill to be entitled "An Act amending Section 8 of Chapter 163, Acts of the Regular Session of the Forty-second Legislature; validating specified actions heretofore taken by counties, cities and towns in issuing funding and refunding securities in attempted compliance with said Chapter; validating such securities issued thereunder, and declaring an emergency."

(With amendments.)

S. B. No. 425, A bill to be entitled "An Act making an emergency appropriation to the Adjutant General's Department of the State of Texas of Fifty-three Thousand (\$53,000.00) Dollars for the fiscal year ending August 31, 1937, and making appropriation to purchase 156.5 or more acres of land adjacent to Camp Wolters, Texas National Guard, Palo Pinto County, Texas, and declaring an emergency."

(With amendments.)

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Senate Bill No. 452 on First Reading.

Senator Small asked unanimous consent of the Senate to introduce at this time a (local) bill.

There was no objection offered.

The following bill was then introduced, read first time and referred to the Committee on State Highways and Motor Traffic:

By Senator Small:

S. B. No. 452, A bill to be entitled "An Act creating a more efficient road law for Parmer County, Texas, authorizing the commissioners' court to require surety bonds of road overseers, validating certain time warrants and the proceedings heretofore had by the county and by its officials in reference to the issuance of certain time warrants for the purchase of rights-of-way, authorizing the commissioners' court of said county to issue serial coupon bonds of said county in the funding of said time warrants, and to levy all or any part of the fifteen cents special road and bridge maintenance tax of said county for payment of said bonds; providing that if any part of this Act shall be declared unconstitutional, such holding shall not impair or invalidate other parts of this Act; and declaring an emergency."

Senate Concurrent Resolution No. 52.

Senator Hill offered by unanimous consent, at this time, the following resolution:

Whereas, Texas has suffered the greatest school catastrophe in the history of the United States through the loss of precious lives in the New London School disaster; and

Whereas, It is fitting that the date of March 18th be forever remembered by Texas as a day of memorial observance to the victims of this disaster; now, therefore, be it

Resolved, That the Forty-fifth Legislature of the State of Texas, by virtue of its powers, does hereby declare the day of March 18th as New London School Memorial Day, and urge its observance in the future by all Texans in order that the sacrifice of these lives may not be forgotten.

The resolution was read and was referred by the President to the Committee on State Affairs.

At Ease.

On motion of Senator Woodruff, the Senate, at 11:55 o'clock a. m., stood at ease subject to the call of the President.

The Senate was called to order at 12:00 o'clock m. by the President.

Bills and Resolutions Signed.

The President signed in the presence of the Senate, after giving due notice thereof, the following enrolled bills and resolutions:

S. B. No. 107, "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas which levies are unenforceable because of failure of the governing body of each respective incorporated city and town to make such levy by ordinance, and which are unenforceable because of the failure of such governing bodies to appoint the statutory Board of Equalization, or where the city council, city commission, or other governing body of such incorporated city or town has acted as a Board of Equalization in the fixing of the valuation of taxable property for ad valorem taxes within any such incorporated city or town; providing this Act shall not validate any levies for ad valorem taxes where the validity of such levy has been contested in any pending suit, and declaring an emergency."

S. B. No. 121, "An Act defining county mutual insurance companies, providing the hazards against which they may write insurance, providing for incorporation of county mutual insurance companies and the requirements therefor, providing for permits to solicit insurance on the mutual or cooperative plan and requirements thereof; providing requirements and contents of charters; authorizing such companies to adopt by-laws for the regulation and management of their affairs; providing for a lien to secure payment of premiums and assessments; liability of policyholders on the mutual plan; authorizing such companies to borrow money and defining solvency of such companies; providing for meetings of policyholders; limiting territory in which it can operate; providing for accumulation of reserve funds and for investment thereof; requiring written annual reports to members; providing for examination of county mutual insurance companies by the Insurance Commission of the State of Texas; providing that such companies now in business shall be known as county mutual insurance companies; providing that charters of such companies expired or about to expire may be extended

for an additional fifty years with same rights enjoyed under its original charter and stating prerequisites to such extension; and providing for subsequent renewals of charters; authorizing re-insurance on defined conditions of any or all risks and contracts essential thereto; authorizing organization of local lodges for conduct of business and for representative form of government; providing for removal of officers, exemption from all insurance laws except as herein provided; requiring that by-laws constitute part of contract with insured; providing that unconstitutionality of any part of this Act shall not affect the remainder thereof, and declaring an emergency."

S. B. No. 130, "An Act authorizing A. O. Harris, Mrs. A. O. Harris, and Mrs. Roberta Pearl Van Cleeve, the latter a widow, to sue the State of Texas through the Texas Highway Commission for damages resulting from personal injuries sustained on or about the 8th day of October, 1934, in or near the City of Fort Worth, Tarrant County, Texas, providing that venue in said suit shall be in Travis County, Texas, and declaring an emergency."

S. B. No. 304, "An Act to provide for the care, safekeeping, and custody of securities in which the sinking funds for the redemption and payment of outstanding bonds of any county of more than 190,000 population, or a navigation district in counties of more than 190,000 population, may have been invested by the legally authorized governing body thereof; providing for the audit thereof, and declaring an emergency."

S. B. No. 323, "An Act to validate the consolidation of contiguous independent school districts lying in two or more adjoining counties and elections and proceedings in connection therewith, and to provide for their rights and powers as an independent school district."

S. B. No. 332, "An Act to amend Section 17, H. B. No. 68, Chapter 3, of the Acts of the Regular Session of the Forty-fourth Legislature, so as to extend the time of existence of the Special District Court of Smith County, Texas."

S. B. No. 430, "An Act amending Subsection 102 of Article 199 of the

Revised Civil Statutes of Texas, 1925, as amended by Chapter 16, Acts of the Thirty-ninth Legislature, Regular Session, as amended by Chapter 253, Acts of the Forty-third Legislature, Regular Session, as amended by Chapter 103, Special Laws of the Forty-third Legislature, Regular Session, as amended by Chapter 158, Acts of the Forty-fourth Legislature, Regular Session, providing for the time of holding the terms of court of the District Court of the 102nd Judicial District of Texas, naming the counties constituting the same; changing the length of the terms of the District Court in the counties in said Judicial District; enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to grand and petit jurors made necessary by the changes made by this Act, and validating and legalizing the same, and repealing all laws and parts of laws in conflict, and declaring an emergency."

S. B. No. 431, "An Act amending Subsection 76 of Article 199 of the Revised Civil Statutes of Texas, 1925, providing for the time of holding the terms of court of the District Court of the 76th Judicial District of Texas, changing the length of the terms of the District Court in the counties in said Judicial District; enacting necessary provisions with reference to processes, writs, bonds, recognizances, and with reference to grand and petit jurors made necessary by the changes made by this Act, and validating and legalizing the same, and repealing all laws or parts of laws in conflict, and declaring an emergency."

S. B. No. 432, "An Act amending Article 199, Revised Civil Statutes of Texas, 1925, as amended by Chapter 254, Acts of the 43rd Legislature, Regular Session, as amended by Chapter 104, Special Laws of the Forty-third Legislature, Regular Session, as amended by Chapter 158, Acts of the Forty-fourth Legislature, Regular Session; providing for the reorganization of the Fifth Judicial District, naming the counties constituting the same; fixing the terms of the District Court in the counties of the district; making provisions with reference to process issued, bonds and recognizances made and grand

and petit jurors drawn before this Act takes effect; providing for the jurisdiction of said courts as to civil and criminal business, fixing the time of taking effect of this Act; providing for the district clerk of such court; repealing all laws and parts of laws in conflict, and declaring an emergency."

S. C. R. No. 51, Requesting the United States Congress to take necessary steps to reimburse the State of Oklahoma for loss received in increased taxation because of the exemption of taxes of Indian lands and oil and gas from restricted Indian lands.

H. B. No. 147, "An Act empowering and authorizing cities and towns in the State of Texas having a population in excess of 290,000 inhabitants, according to the last preceding or any future Federal Census, to enact ordinances governing operation of all motor vehicles upon the public thoroughfares of such cities; providing that said ordinances may require testing and inspecting such motor vehicles at stated times and approval by the testing and inspecting authorities; permitting the fixing of penalties for violating said ordinances; authorizing such cities to acquire, establish, erect, equip, improve, enlarge, repair, operate and maintain motor vehicle testing stations to prescribe and collect a fee for such tests and for the disposition of such fees; authorizing said cities to mortgage or encumber said stations to borrow money and issue warrants to finance said stations and to pledge said fees and receipts for payment of said indebtedness; providing a saving clause; repealing all conflicting laws, and declaring an emergency."

H. B. No. 202, "An Act providing that S. B. No. 146, Chapter 181, Subsection (2) of Section 12, enacted by the Regular Session of the Forty-fourth Legislature, be amended by eliminating said Subsection (2) and further providing for fifteen captains, twenty sergeants and three hundred privates in the Texas State Highway Patrol, and declaring an emergency."

H. B. No. 230, "An Act providing an open season for the taking and shooting of squirrels; providing an open season for the shooting of quail; providing a bag limit for squirrels,

a bag limit and possession limit for quail; providing a penalty for any violation of this Act; repealing all laws in conflict with this Act; providing that the provisions of this Act shall apply to Shelby County only, and declaring an emergency."

H. B. No. 244, "An Act granting M. L. Barrett of Bell County, Texas, permission to bring suit against the State of Texas and the State Highway Department, in the District Court of Bell County, Texas, for damages sustained to his property by the construction of road bed and culvert adjacent to his land upon Highway No. Two in Bell County, Texas; impounding water on his land, washing and destroying his farm; providing that such suit may be filed within two (2) years after this Act takes effect; providing for the method of serving process and for procedure governing the trial and determination of such suit, and declaring an emergency."

H. B. No. 250, "An Act to fix the salaries and compensation of county commissioners in counties with a population of not less than thirteen thousand six hundred (13,600) inhabitants, nor more than thirteen thousand seven hundred (13,700) inhabitants, according to the last Federal Census as to population, and providing for the manner of the payment of the salaries and the funds from which said salaries shall be paid; and repeal all laws in conflict herewith, and declaring an emergency."

H. B. No. 324, "An Act requiring any person hunting any quail outside of the county of his residence upon the private lands of another person in Henderson County, to first obtain and have in his possession a written permit; providing that the provisions shall not apply where such person is so hunting in company with the owner or agent of such lands; providing other necessary regulations pertaining to the obtaining of such permit; providing that the failure to have in possession such valid permit shall be prima facie evidence of guilt; providing a suitable penalty for violation of any provision of this Act; providing that it shall be the duty of any peace officer operating in any county affected by the provisions of this Act to enforce the provisions of this

Act and repealing all laws in so far as they conflict with any provision of this Act."

H. B. No. 370, "An Act granting to R. L. Gillespie permission to bring suit against the State of Texas and/or the State Highway Department, and/or Angelina County, Texas, in the District Court of Shelby County, Texas, for damages sustained by reason of the injuries, pain and suffering, past, present and future, medical expenses, past, present and future, sustained by reason of the negligence of the employees of the State Highway Department and/or Angelina County, Texas, all to R. L. Gillespie; providing for place of venue; providing that such suit may be filed within two years after this Act takes effect; providing for the method of serving process and for procedure governing the trial and determination of such suit; recognizing the liability of the State of Texas and making appropriation for the payment of such judgment, if, as and when finally obtained; providing for the method of compromising and settling such claims, and declaring an emergency."

H. B. No. 451, "An Act providing for the amount that may be allowed by county boards of trustees to the county superintendents of public instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal Census; repealing all laws and parts of laws, general or special, in conflict herewith; and declaring an emergency."

H. B. No. 563, "An Act to prohibit the use of any trap, seine, or net of any kind for the purpose of taking or catching any fish in Bell County for a period of two years from and after the effective date of this Act; providing, however, that this Act shall not prohibit the use of a minnow seine in such county, and declaring an emergency."

H. B. No. 569, "An Act amending Article 2372, Revised Civil Statutes of Texas, 1925, providing that the commissioners' court of the various counties of this State shall have authority to pay for the services of interpreters; providing that the sum paid shall not exceed \$5.00 per day for such time as the person is actually employed, and declaring an emergency."

H. B. No. 271, "An Act making appropriations for the support and maintenance of summer schools during the summer of the year 1937, at the several State institutions of higher learning in the State of Texas, authorizing the expenditure of said institutions of certain additional amounts from fees collected from summer school students, and declaring an emergency."

H. B. No. 606, "An Act to amend Article 2687, Revised Civil Statutes of Texas, 1925, prescribing the time of meeting of the county board of school trustees in counties containing a population of not less than 43,180 and not more than 44,100 population, according to the last preceding Federal Census; providing for their compensation; providing the fund from which same shall be paid; providing this Act shall be cumulative of all existing laws on this subject but this Act shall apply wherein in conflict therewith, and declaring an emergency."

H. B. No. 672, "An Act authorizing the commissioners' court in certain counties to require all male convicts to labor on the public roads; providing that each convict shall receive a credit of One dollar (\$1.00) a day for each day so employed; providing for the payment of fees to officers and witnesses; providing that the commissioners' court shall provide for the transportation of the county convicts who may be ordered to work on said roads, and for the transportation from place to place in the county of the various employees, hands, laborers, mechanics, and artisans who may be employed on the roads and bridges of the county in the inspection and general supervision of the roads and bridges of said counties by providing for the purchase by the court of such motor vehicles, motor trucks, and trailers as may appear reasonably necessary and proper by said court for said purposes; providing for the necessary and incidental expenditures for the maintenance and upkeep of said motor vehicles as may be provided by said court; providing the duties of certain officers in connection herewith and prescribing a penalty for failure to perform such duties, etc."

H. B. No. 629, "An Act declaring the islands in Galveston Bay, known as Vingt'une Islands, as a wildlife

sanctuary and prohibiting the molestation of any birds found on said islands; providing a penalty for violation of this Act, and declaring an emergency."

H. B. No. 716, "An Act for the purpose of authorizing county treasurers in counties having a population of not less than one hundred and twenty-five thousand (125,000) nor more than one hundred and seventy-five thousand (175,000) inhabitants, according to the last Federal Census and containing two (2) cities of more than forty thousand (40,000) inhabitants according to the last Federal Census to be paid in addition to all other compensation a salary of not to exceed six hundred (\$600.00) dollars per year to be fixed and determined by the commissioners' court of such county for acting as custodian of the funds of road district or road districts in such counties created under authority of Article III, Section 52, of the Constitution of the State of Texas and/or Acts, Thirty-ninth Legislature, First Called Session, Chapter 16, page 23, and declaring an emergency."

H. B. No. 353, "An Act making certain emergency appropriations out of the General Revenue Fund of the State of Texas for the Livestock Sanitary Commission for the balance of the fiscal year ending August 31, 1937, to cover the purchase of dip materials, marking paint, salaries of inspectors, salaries of county supervisors, salaries of district supervisors, and traveling expenses, and declaring an emergency."

H. B. No. 748, "An Act amending Chapter 465, of the Acts of the Forty-fourth Legislature, Second Called Session by adding a new Section thereto, to be known as Section 2a, providing that in counties containing a population of less than one hundred ninety thousand (190,000) inhabitants according to the last preceding Federal Census wherein the precinct officers are placed on a salary basis, shall receive as compensation in addition to the salary fixed, certain commissions and payments for certain services performed, and declaring an emergency."

H. B. No. 962, "An Act amending Section 2 of Chapter 19 of the Local and Special Acts of the

Forty-first Legislature of Texas, Fourth Called Session, so as to provide for the funding by the commissioners' court of Angelina County of any and all items of indebtedness outstanding on January 1, 1937, against the road and bridge fund of said county, including scrip and time warrants, by issuing coupon bonds of said county; providing that the commissioners' court shall be authorized to levy and collect any and all of the special fifteen cents maintenance tax of said county for the payment of said bonds, and declaring an emergency."

H. B. No. 1020, "An Act making an appropriation of One Hundred Thousand (\$100,000.00) dollars out of the Texas Old Age Assistance Fund, to be used by the Texas Old Age Assistance Commission for payment of seasonal administrative expenses for the remainder of the present fiscal year, ending August 31, 1937, making provision for expenditure and use of this appropriation in addition to the sums of money already appropriated for administrative expenses of the Texas Old Age Assistance Commission for the remainder of the present year ending August 31, 1937, and declaring an emergency."

H. C. R. No. 31, Encouraging the use of cotton mats in the construction of highways.

H. C. R. No. 49, Granting Jim Moore permission to sue Cass County for personal injuries.

H. C. R. No. 56, Granting Walter P. Dickerson permission to bring suit against the State of Texas and Adjutant General's Department of the State of Texas.

H. C. R. No. 59, Granting Sam Tobolowsky and James A. Gripeotis permission to sue the State of Texas and the State Highway Commission for property damages.

H. C. R. No. 66, Granting permission to Honorable A. S. Moss, District Judge of the 100th Judicial District, to leave the State.

H. C. R. No. 76, Granting permission to C. A. Lanier to sue the Livestock Sanitary Commission for property damages.

H. C. R. No. 83, Inviting the Texas Legislature to attend open

house at Neff Park, April 4, 1937, commemorating the fourth anniversary of the founding of the C. C. C.

S. B. No. 425, "An Act making an emergency appropriation to the Adjutant General's Department of the State of Texas of Fifty-three Thousand (\$53,000.00) dollars for the fiscal year ending August 31, 1937, and making appropriation to purchase 156.5 or more acres of land adjacent to Camp Wolters, Texas National Guard, Palo Pinto County, Texas, and declaring an emergency."

Senate Bill No. 443 on Second Reading.

On motion of Senator Sulak and by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment:

S. B. No. 443, A bill to be entitled "An Act creating a Special Road Law for Waller County, Texas providing said county may fund or refund the indebtedness outstanding against its road and bridge fund as of March 1, 1937, setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all acts and proceedings heretofore had by the commissioners' court of said county, and officers thereof, in respect to the funding or refunding of said indebtedness; providing this law shall be cumulative of General Laws on the subject of roads and bridges and General Laws on funding or refunding bonds not in conflict herewith; enacting provisions incident and relating to the subject and purposes of this Act; repealing all laws in conflict and declaring an emergency."

The President laid the bill before the Senate, it was read second time and was passed to engrossment.

Senate Bill No. 443 on Third Reading.

Senator Sulak moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 443 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Rawlings.
Burns.	Redditt.
Collie.	Roberts.
Cotten.	Shivers.
Davis.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

The President then laid S. B. No. 443 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Rawlings.
Burns.	Redditt.
Collie.	Roberts.
Cotten.	Shivers.
Davis.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

House Bill No. 593 on Second Reading.

On motion of Senator Neal and by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading:

H. B. No. 593, A bill to be entitled "An Act creating the office of Criminal District Attorney in all counties having a population of not less than 75,001 nor more than 77,100, and not containing a city of more than 40,000 inhabitants as determined by the last preceeding Federal Census, and in which counties there are one or more Judicial Districts and, in which the County Attorney performs the duties of County Attorney and

District Attorney, and in which there is not now a District Attorney; providing that the present County Attorney in those counties shall qualify as Criminal District Attorney, remain in office for the period such officer would have held his office as County Attorney had this Act not been passed; etc., and declaring an emergency."

The President laid the bill before the Senate.

On motion of Senator Neal and by unanimous consent, Senate rule No. 48 was suspended, to permit consideration of the bill at this time.

The bill was then read second time and was passed to third reading.

House Bill No. 593 on Third Reading.

Senator Neal moved that the constitutional rule requiring bills to be read on three several days in each House be suspended and that H. B. No. 593 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Rawlings.
Burns.	Redditt.
Collie.	Roberts.
Cotten.	Shivers.
Davis.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

The President then laid H. B. No. 593 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31.

Aikin.	Davis.
Beck.	Head.
Brownlee.	Hill.
Burns.	Holbrook.
Collie.	Isbell.
Cotten.	Lemens.

Moore.	Small.
Neal.	Spears.
Nelson.	Stone.
Newton.	Sulak.
Oneal.	Van Zandt.
Pace.	Weinert.
Rawlings.	Westerfeld.
Redditt.	Winfield.
Roberts.	Woodruff.
Shivers.	

House Bill No. 359 on Second Reading.

On motion of Senator Shivers and by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading:

H. B. No. 359, A bill to be entitled "An Act giving to W. N. Smith, for himself, and as next friend to Carl Smith, minor, of Chambers County, Texas, consent of the Legislature to file and prosecute a suit against the State of Texas and/or the State Highway Department, etc., and declaring an emergency."

The President laid the bill before the Senate, it was read second time and was passed to third reading.

House Bill No. 359 on Third Reading.

Senator Shivers moved that the constitutional rule requiring bills to be read on three several days in each House be suspended and that H. B. No. 359 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Rawlings.
Burns.	Redditt.
Collie.	Roberts.
Cotten.	Shivers.
Davis.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

The President then laid H. B. No. 359 before the Senate, on its third reading and final passage.

The bill was read third time and was passed.

Adjournment.

On motion of Senator Davis, the Senate, at 12:10 o'clock p. m., adjourned until 10 o'clock a. m. next Monday, April 5, 1937.

Record of Votes.

Senators Hill and Oneal asked to be recorded as voting "nay" on the motion of Senator Davis to adjourn until 10 o'clock a. m. next Monday, April 5, 1937.

APPENDIX.

Bills Filed in Department of State.

Austin, Texas, April 2, 1937.

Hon. Bob Barker, Secretary of the Senate.

Dear Sir: I submit herewith a list of bills and resolutions passed by the Forty-fifth Legislature which were filed in this office Thursday, April 1, 1937:

H. B. No. 298:

Vote in Senate, viva voce.

Vote in House, viva voce.

Date signed by the Governor, April 1, 1937.

H. B. No. 568:

Vote in Senate, yeas 27, nays 0.

Vote in House, yeas 107, nays 0.

Date signed by the Governor, April 1, 1937.

H. B. No. 589:

Vote in Senate, yeas 27, nays 0.

Vote in House, yeas 106, nays 0.

Date signed by the Governor, April 1, 1937.

H. B. No. 599:

Vote in Senate, yeas 27, nays 0.

Vote in House, Yeas 115, nays 0.

Date signed by the Governor, April 1, 1937.

H. B. No. 724:

Vote in Senate, yeas 27, nays 0.

Vote in House, Yeas 105, nays 0.

Date signed by the Governor, April 1, 1937.

H. B. No. 747:
Vote in Senate, yeas 25, nays 0.
Vote in House, yeas 109, nays 0.
Date signed by the Governor,
April 1, 1937.

H. B. No. 757:
Vote in Senate, viva voce.
Vote in House, yeas 124, nays 0.
Date signed by the Governor,
April 1, 1937.

Assuring you of my sincere pleasure in performing this service, I am
Yours very truly,
M. E. SANDLIN,
Assistant Secretary of State.

Reports of Standing Committees

Committee Room,
Austin, Texas, April 2, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on
Labor, to whom was referred

H. B. No. 19, A bill to be entitled
"An Act providing that all persons,
firms, partnerships, or corporations
using coupons, chips, scrip, punch-
outs, store orders, or other evidence
of indebtedness to pay their or its
laborers and employees, for labor or
otherwise, shall, if demanded, re-
deem the same in the hands of such
laborer, employe, or bona fide holder
in good and lawful money of the
United States; provided, the same is
presented and redemption demanded
of such person, firm, partnership, or
corporation using same as aforesaid,
at a regular payday, etc., and declar-
ing an emergency."

Have had the same under con-
sideration, and I am instructed to
report it back to the Senate with the
recommendation that it do pass and
be printed.

SHIVERS, Chairman.

Committee Room,
Austin, Texas, April 1, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on
Judicial Districts, to whom was re-
ferred

H. B. No. 593, A bill to be entitled
"An Act creating the office of Crimi-
nal District Attorney in all counties
having a population of not less than
seventy-five thousand and one
(75,001) nor more than seventy-
seven thousand one hundred

(77,100), and not containing a city
of more than forty thousand
(40,000) inhabitants, as determined
by the last preceding Federal Census,
and in counties of this State having
a population of not less than thirty
thousand, nine hundred (30,900),
and not more than thirty thousand,
nine hundred and fifty (30,950) in-
habitants, as determined by the last
preceding Federal Census, and in
which counties there is one or more
Judicial District, and in which the
County Attorney performs the duties
of County Attorney and District At-
torney, and in which there is not now
a District Attorney; providing that
the present County Attorney in those
counties shall qualify as Criminal
District Attorney, remaining in of-
fice for the period such officer would
have held his office as County Attor-
ney had this Act not been passed;
providing that such officer shall take
the oath, and give the bond re-
quired of District Attorneys by the
Constitution and Laws of this State;
provided that such Criminal District
Attorney shall have and exercise all
powers, duties, and privileges within
such county as are by law conferred,
or which may hereafter be conferred
upon District and County Attorneys,
and providing the compensation for
such officer; providing for the ap-
pointment of assistants, deputies,
and clerks; fixing their powers,
duties and compensation; providing
for the election of a Criminal Dis-
trict Attorney in each such county;
providing this Act shall be cumula-
tive of all other laws, and declaring
an emergency."

Have had the same under con-
sideration, and I am instructed to
report to back to the Senate with the
recommendation that it do pass and
be not printed.

NELSON, Chairman.

Committee Room,
Austin, Texas, April 1, 1937.
Hon. Walter F. Woodul, President
of the Senate.

Sir: We, your Committee on
Agricultural Affairs, to whom was
referred

H. B. No. 99, A bill to be entitled
"An Act providing for the purchas-
ing, handling, sale, and accounting
of sales of citrus fruit grown in the
State of Texas; defining terms as
used herein; providing for bond and
license for citrus fruit dealers; pre-

scribing and fixing duties and powers of the Commissioner of Agriculture with reference to the Act and its operation and enforcement; defining offenses and prescribing penalties for the violation of this Act; providing for the appointment of a director and examiner; fixing salaries and other regulations; providing a saving clause, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, April 1, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

H. B. No. 653, A bill to be entitled "An Act making it the duty of the Commissioner of Agriculture of the State of Texas to control and/or eradicate the Mexican fruit fly in the State of Texas; providing a title for said Act; defining certain terms as used herein; providing a host-free period, and authorizing the Commissioner of Agriculture of the State of Texas to adopt the host-free period promulgated by the United States Department of Agriculture; defining host fruits and making certain exceptions; defining infested premises, as the term is used herein; designating a quarantined area, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, April 1, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

H. B. No. 654, A bill to be entitled "An Act providing for and authorizing 'marketing agreements' with respect to citrus fruits or citrus fruit; authorizing the Commissioner of Agriculture of the State of Texas to enter into 'marketing agreements'

with producers, shippers, and/or handlers thereof in intrastate commerce; setting forth the imperative necessity therefor; defining terms; prescribing duties and powers of the Commissioner of Agriculture of the State of Texas with respect thereto; authorizing the giving of notice in prescribed manner, and hearing after notice, and determination of facts incident to marketing agreements, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, April 1, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

H. B. No. 857, A bill to be entitled "An Act repealing Articles 111, 112, 113, 114, 115 and 116, Revised Civil Statutes of Texas, 1925; amending Section 3 of Article 117, as amended Revised Civil Statutes 1925; amending subdivision (1) of Section 1 and Sections 4 and 5 of Acts 1929, Forty-first Legislature, Second Called Session, page 157, Chapter 80, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, April 1, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

H. B. No. 773, A bill to be entitled "An Act authorizing the Commissioner of Agriculture of this State to establish and maintain quarantine regulations in order to prevent the introduction into or the spread within this State of pests and diseases for the protection of agricultural industry of this State and to provide for the inspection of things and plants with reference to such quarantine, requiring persons to notify the Commissioner of Agricul-

ture of the arrival of such things and plants against which a quarantine has been established and to hold them for inspection, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, April 1, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Agricultural Affairs, to whom was referred

H. B. No. 899, A bill to be entitled "An Act amending Chapter 8, Article 5742 of the Revised Civil Statutes of the State of Texas, 1925, as amended by Acts of 1930, Forty-first Legislature, First Called Session, Acts 1930, Forty-first Legislature, Fifth Called Session, Acts of 1934, Forty-third Legislature, Second Called Session; amending Chapter 8, Article 5743 of the Revised Civil Statutes of Texas 1925, as amended by Acts 1930, Forty-first Legislature, Fourth Called Session, Chapter 8, Article 5746 of the Revised Civil Statutes of Texas, 1925, as amended by Acts of 1930, Forty-first Legislature, Fourth Called Session, relating to Cooperative Marketing Associations, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, April 2, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 452, A bill to be entitled "An Act to amend Articles 6111, 6113, 6116 and 6122, Revised Civil Statutes of 1925, so as to provide that a special partner may contribute property as capital to the common stock of partnership limited, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to

report it back to the Senate with the recommendation that it do pass as amended and be printed.

SMALL, Chairman.

Committee Room,

Austin, Texas, April 2, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred

S. B. No. 378, A bill to be entitled "An Act relative to certificates of title upon automobiles; defining the terms set forth in such act; defining the vehicles to which same is applicable, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendments, and be printed.

RAWLINGS, Chairman.

(1)

Amend S. B. No. 378, page 10, Subsection (c) of Section 12, by changing the words and figures "Three Dollars (\$3)" in said subsection to read "One Dollar (\$1)," and by striking out the words and figures "Two Dollars (\$2)."

(2)

Amend S. B. No. 378 by changing the words and figures Fifty (50) Cents wherever they appear in the bill to read "Twenty-five (25) Cents."

(3)

Amend S. B. No. 378, page 12, Section 15, sub-section (a), by adding after the word "Act" in line 6, the following: "including the employment of such clerks and administrative employees as are set out in the general appropriation bill by the Legislature."

(Adopted by viva voce vote, March 31, 1937.)

(4)

Amend S. B. No. 378 to make the effective date of this Act to be April 1, 1938.

(Adopted by viva voce vote April 2, 1937.)

Committee Room,
Austin, Texas, April 2, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 706, A bill to be entitled "An Act providing for the employment in all counties having a population of not less than two hundred and ninety thousand (290,000) nor more than three hundred and twenty (320,000), according to the last preceding Federal Census, of two rural school supervisors; prescribing the qualifications and duties of said supervisors and defining their powers; providing the compensation to be paid to such supervisors and the method of paying same; providing the county board of school trustees shall have the power to discontinue the office of such supervisors whenever advisable; providing that in compliance with this Act in any of the counties affected hereby shall exempt the county superintendent from holding a teachers' institute, and shall exempt the teachers from attending teachers' institute, as now required by Article 2691, Revised Civil Statutes, 1925, as amended and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

COTTEN, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, April 1, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your minority of the Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 1, Proposing an amendment to Section 1 of Article 8 of the Constitution of the State of Texas, such amendment making no change in said Section 1 of Article 8 of the Constitution, other than providing that taxation of real property shall be equal and uniform; and that all property whether owned by natural persons or corporations, other than municipal, shall be taxed in proportion to its value as may be ascertained as provided by law; that the Legislature may make reasonable classifications of all property

other than real property for the purpose of taxation and may impose different rates thereon; and providing that the taxation of property in any class shall be equal and uniform.

Differ with the majority and report it back to the Senate with the recommendation that it do pass, with Committee Amendments attached thereto, and be printed.

Signed: Spears, Van Zandt, Nelson, Oneal, Hill.

Committee Room,
Austin, Texas, April 1, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 121 carefully examined and compared and find same correctly enrolled.

WESTERFELD Chairman.

Committee Room,
Austin, Texas, April 1, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 431 carefully examined and compared and find same correctly enrolled.

WESTERFELD Chairman.

Committee Room,
Austin, Texas, April 2, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 425 carefully examined and compared and find same correctly enrolled.

WESTERFELD Chairman.

Committee Room,
Austin, Texas, April 1, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 107 carefully examined and compared and find same correctly enrolled.

WESTERFELD Chairman.

Committee Room,
Austin, Texas, April 1, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 51 carefully examined and compared and find same correctly enrolled.

WESTERFELD Chairman.

Committee Room,
Austin, Texas, April 1, 1937.
Hon. Walter F. Woodul, President of
the Senate.

Sir: We, your Committee on En-
rolled Bills, have had Senate Bills
Nos. 332, 432, 130, 304, 323 and
430 carefully examined and com-
pared and find same correctly en-
rolled.

WESTERFELD Chairman.

FIFTY-FIRST DAY.

(Monday, April 5, 1937)

The Senate met at 10 o'clock a. m.,
pursuant to adjournment, and was
called to order by President Woodul.

The roll was called and the follow-
ing Senators were present:

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Rawlings.
Burns.	Redditt.
Collie.	Roberts.
Cotten.	Shivers.
Davis.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

A quorum was announced present.

The invocation was offered by the
Chaplain.

Reading of the Journal of the pro-
ceedings of Friday, April 2, 1937,
was dispensed with, on motion of
Senator Aikin.

Memorial.

The President laid before the Sen-
ate, and had read, a memorial of cer-
tain citizens of Harris County relat-
ing to repeal of the present racing
law.

Reports of Standing Committees.

Reports on Senate Bills Nos. 437,
and 212 and on House Bills Nos. 95
and 909, were submitted by the
chairmen of the several committees
to which they were referred. (See
appendix for reports in full.)

Senate Bill on First Reading.

Senator Weinert moved that the
the rule limiting the time for intro-
duction of certain bills to the first
45 days of the session be suspended,
to permit the introduction at this
time of a bill, the provisions of
which he explained.

The motion prevailed by the fol-
lowing vote:

Yeas—31.

Aikin.	Oneal.
Beck.	Pace.
Brownlee.	Rawlings.
Burns.	Redditt.
Collie.	Roberts.
Cotten.	Shivers.
Davis.	Small.
Head.	Spears.
Hill.	Stone.
Holbrook.	Sulak.
Isbell.	Van Zandt.
Lemens.	Weinert.
Moore.	Westerfeld.
Neal.	Winfield.
Nelson.	Woodruff.
Newton.	

The following bill was then intro-
duced, read first time and referred
to the Committee on Criminal Jur-
isprudence:

By Senator Weinert:

S. B. No. 453, A bill to be entitled
"An Act providing that if two or
more persons with the wilful purpose
and intent to force or require any
owner, representative or manager of
any premises or building in this State
to do or to refrain from doing any
act or thing whatsoever, shall wil-
fully enter on said premises or in
said building or shall wilfully remain
therein and shall refuse or fail to
leave said premises or building after
being requested by the owner, repre-
sentative or manager of said prem-
ises so to do, or if any person with
such purpose and intent shall advise,
counsel or assist any such person or
persons to so enter or remain on said
premises or in said building, each
such person so offending shall be
deemed guilty of a felony and shall
be punished by imprisonment in the
State penitentiary for a term of years
of not less than two nor more than
five years; fixing venue and declaring
an emergency."